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NOVEMBER 27, 2006

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TERESITA MARIE
Plaintiff

3726 W. GIDDINGS ST.
CHICAGO IL. 60625

MINIBAR NORTH AMERICAN, INC.
AND HYATT (CORPORATION)
Defendants

REGENCY
CHICAGO IL. 151 E. WACKER
DRIVE CHICAGO IL. 60601

CIVIL ACTION

**06CV6344
JUDGE PALLMEYER
MAGISTRATE JUDGE BROWN**

COMPLAINT OF EMPLOYMENT DISCRIMINATION

1. This is an action for employment discrimination.
2. The plaintiff is **TERESITA MARIE** of the County of Cook in the State of Illinois.
3. The defendants are **MINIBAR NORTH AMERICA, INC. AND HYATT CORPORATION**, whose street addresses are 18 Kingery Quarter, Hinsdale, Illinois 60521 and 51 W. Wacker Drive, Chicago, Illinois 60601 (defendant's telephone numbers) Minibar (630) 321.9683 and Hyatt (312) 565.1234.
4. The plaintiff sought employment or was employed by the defendants at 18A Kingery Quarter, Hinsdale, Du Page, IL. 60521 and at 51 Wacker Drive, Chicago, IL 60601.
5. The plaintiff was employed but is no longer employed by the defendants.
6. The defendants discriminated against the plaintiff on or about, or beginning on or about, May 14, 2004.
7. The defendants are not a federal governmental agency, and the plaintiff has filed a charge or charges against the defendants asserting the acts of discrimination indicated in this complaint with any of the following government agencies (Copy of charges are attached):
 - 7.1 The United States Equal Employment Opportunity Commission, on or about March 20, 2006.

Complainant Name: Teresity Marie

Charge Number: 2005CR1524

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3. In late July, 2004, Sandeep Sharma, Assistant Manager, suspended me.
4. Sharma suspended me for being absent as a result of my job injury, even though I notified Respondent of my absences.
5. Respondent suspended me after I opposed unlawful discrimination, and thereby, raising an inference of retaliatory motivation.

lgv

Complainant Name: TERESITA MARIE

Charge Number: 2005CF1524

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V. A. ISSUE/BASIS

SUSPENSION - LATE JULY, 2004/DUE TO NATIONAL ORIGIN, THE PHILIPPINES

B. PRIMA FACIE ALLEGATIONS

1. My national origin is the Philippines.
2. I worked at Respondent for my employer, Hyatt Regency Chicago Hotel. Respondent assigned me work and supervised my daily employment activities.
3. My performance as Servi-bar Attendant.
4. In late July, 2004, Sandeep Sharma, Assistant Manager, suspended me.
5. Sharma suspended me for being absent as a result of my job injury, even though I notified Respondent of my absences.
6. Non-Filipino employees whose attendance record was not better than mine were not suspended.

VI. A. ISSUE/BASIS

SUSPENSION - LATE JULY, 2004/IN RETALIATION FOR OPPOSING UNLAWFUL DISCRIMINATION

B. PRIMA FACIE ALLEGATIONS

1. In mid 2004, I opposed unlawful discrimination by complaining to Respondent about national origin discrimination.
2. I worked at Respondent for my employer, Hyatt Regency Chicago Hotel. Respondent assigned me work and supervised my daily employment activities.

Continued...lgyv

Complainant Name: TERESITA MARIE

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3. My performance as Servi-bar Attendant was satisfactory.
4. On July 23, 2004, Sandeep Sharma, Respondent's Manager, subjected me to unequal terms and conditions of employment by denying me the assistance I needed to do repeated heavy lifting and forcing me to do it on my own, although other employees who were mocking me could have assisted me. As a result of this, I injured my back. I told Sharma about it, but he ignored me and did not allow me to go home until I finished my work, which included more lifting.
5. Non-Filipinos were not treated in this manner.

IV. A. ISSUE/BASIS

UNEQUAL TERMS AND CONDITIONS OF EMPLOYMENT - JULY 23, 2004/IN RETALIATION FOR OPPOSING UNLAWFUL DISCRIMINATION

B. PRIMA FACIE ALLEGATIONS

1. In mid 2004, I opposed unlawful discrimination by complaining to Respondent about national origin discrimination.
2. I worked at Respondent for my employer, Hyatt Regency Chicago Hotel. Respondent assigned me work and supervised my daily employment activities.
3. On July 23, 2004, Sandeep Sharma, Respondent's Manager, subjected me to unequal terms and conditions of employment by denying me the assistance I needed to do repeated heavy lifting and forcing me to do it on my own, although other employees who were mocking me could have assisted me. As a result of this, I injured my back. I told Sharma about it, but he ignored me and did not allow me to go home until I finished my work, which included more lifting.
4. Respondent subjected me to unequal terms and conditions of employment after I opposed unlawful discrimination, and thereby, raising an inference of retaliatory motivation.

Continued...lgv

Complainant Name: TERESITA MARIE

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5. Non-Filipino employees were not harassed in this manner.

II. A. ISSUE/BASIS

WARNINGS - MAY 14, 2004, TO LATE JULY, 2004/DUE TO NATIONAL ORIGIN, THE PHILIPPINES

B. PRIMA FACIE ALLEGATIONS

1. My national origin is the Philippines.
2. I worked at Respondent for my employer, Hyatt Regency Chicago Hotel. Respondent assigned me work and supervised my daily employment activities.
3. My performance as Servi-bar Attendant was satisfactory.
4. From at least May 14, 2004, until late July, 2004, I was issued about five warnings by Sandeep Sharma, Assistant Manager.
5. Respondent issued me warnings for things which others were not issued warnings for, including allegedly not reporting an accident I had on the job, when I had reported it.
6. Non-Filipino employees were not issued warnings for similar reasons.

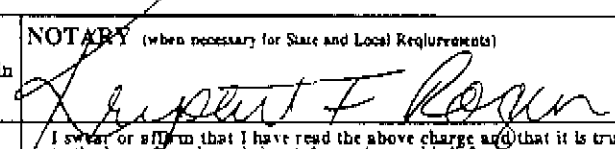
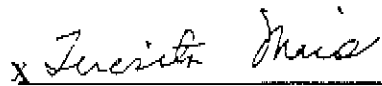
III. A. ISSUE/BASIS

UNEQUAL TERMS AND CONDITIONS OF EMPLOYMENT - JULY 23, 2004/DUE TO NATIONAL ORIGIN, THE PHILIPPINES

B. PRIMA FACIE ALLEGATIONS

1. My national origin is the Philippines.
2. I worked at Respondent for my employer, Hyatt Regency Chicago Hotel. Respondent assigned me work and supervised my daily employment activities.

Continued...lgv

CHARGE OF DISCRIMINATION		AGENCY <input checked="" type="checkbox"/> IDHR <input checked="" type="checkbox"/> EEOC	CHARGE NUMBER 2005CF1524
This form is affected by the Privacy Act of 1974: See Privacy act statement before completing this form. 05W1110.07			
Illinois Department of Human Rights and EEOC			
NAME (indicate Mr., Ms., Mrs.) TERESITA MARIE		HOME TELEPHONE (include area code) 773-588-3179	
STREET ADDRESS 3726 W GIDDINGS CT		CITY, STATE AND ZIP CODE CHICAGO, IL 60625	DATE OF BIRTH 00/00/00
NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (IF MORE THAN ONE, LIST BELOW)			
NAME MINI BAR SYSTEM		NUMBER OF EMPLOYEES, MEMBERS 15+	TELEPHONE (include area code) 630 321 9683
STREET ADDRESS 18A KINGERY QUARTER		CITY, STATE AND ZIP CODE HINSDALE, IL 60521	COUNTY 043
NAME		TELEPHONE (include area code)	
STREET ADDRESS		CITY, STATE AND ZIP CODE	COUNTY
CAUSE OF DISCRIMINATION BASED ON: NATIONAL ORIGIN RETALIATION		DATE OF DISCRIMINATION EARLIEST (ADEA/EPA) LATEST (ALL) / / 07/31/2004 <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (if additional space is needed attach extra sheet(s))			
<p>I. A. ISSUE/BASIS</p> <p style="padding-left: 40px;">HARASSMENT - MAY 14, 2004, TO LATE JULY, 2004/DUE TO NATIONAL ORIGIN, THE PHILIPPINES</p> <p>B. PRIMA FACIE ALLEGATIONS</p> <ol style="list-style-type: none"> 1. My national origin is the Philippines. 2. I worked at Respondent for my employer, Hyatt Regency Chicago Hotel. Respondent assigned me work and supervised my daily employment activities. 3. My performance as Servi-bar Attendant was satisfactory. 4. From at least May 14, 2004, until late July, 2004, I was harassed by Sandeep Sharma, Respondent's Manager, who was continually mean and disrespectful towards me. <p>Continued...lgy</p>			
<input checked="" type="checkbox"/> I also want this charge filed with the EEOC. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY (when necessary for State and Local Requirements)  I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	
I declare under penalty of perjury that the foregoing is true and correct <div style="border: 1px solid black; padding: 5px; text-align: center;"> "OFFICIAL SEAL" Krystal L. Rogers Notary Public, State of Illinois Commission Expires Nov. 15, 2006 Notary Public Seal </div>		SIGNATURE OF COMPLAINANT DATE  12/6/04 SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Day, month, year)	

EEOC Form 5 (5/01)

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

☒ FEPA**AMENDED 2005cf1524/**☒ EEOC**21B-2005-00502****Illinois Department Of Human Rights**

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

Ms. Teresita Marie

Home Phone (incl. Area Code)

(773) 588-3179

Date of Birth

Street Address

City, State and ZIP Code

3726 W Giddings Ct, Chicago, IL 60625

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

MINIBAR SYSTEMS

No Employees, Members

15 - 100

Phone No. (Include Area Code)

(630) 321-9683

Street Address

City, State and ZIP Code

18 Kingery Quarter, Hinsdale, IL 60521

Name

HYATT REGENCY HOTEL

No Employees, Members

501 or More

Phone No. (Include Area Code)

(312) 565-1234

Street Address

City, State and ZIP Code

51 W. Wacker Drive, Chicago, IL 60601

DISCRIMINATION BASED ON (Check appropriate box(es))

☐ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☒ NATIONAL ORIGIN
☒ RETALIATION ☐ AGE ☐ DISABILITY ☐ OTHER (Specify below.)

DATE(S) DISCRIMINATION TOOK PLACE
Earliest Latest**07-31-2004**☐ CONTINUING ACTION

THE PARTICULARS ARE (if additional paper is needed, attach extra sheet(s)):

SEE ATTACHED**RECEIVED EEOC****MAR 16 2006****CHICAGO DISTRICT OFFICE**

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - When necessary for State and Local Agency Requirements

I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

3/13/06 **Teresita Marie**
 Date Charging Party Signature

FILING SUIT IN COURT OF COMPETENT JURISDICTION

PRIVATE SUIT RIGHTS:

This issuance of this Notice of Right to Sue ends EEOC's process with respect to your charge. You may file a lawsuit against the respondent named in your charge within 90 days from the date you receive this Notice. Therefore you should **keep a record of this date**. Once this 90-day period is over, your right to sue is lost. If you intend to consult an attorney, you should do so as soon as possible. Furthermore, in order to avoid any question that you did not act in a timely manner, if you intend to sue on your own behalf, your suit should be filed **well in advance of the expiration of the 90-day period**.

You may file your lawsuit in a court of competent jurisdiction. Filing this Notice is not sufficient. A court complaint must contain a short statement of the facts of your case which shows that you are entitled to relief. Generally, suits are brought in the state where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office.

You may contact EEOC if you have any questions about your rights, including advice on which court can hear your case, or if you need to inspect and copy information contained in the case file.

A lawsuit against a private employer is generally filed in the U.S. District Court.

A lawsuit under Title VII of the Civil Rights Act of 1964, as amended, against a State agency or a political subdivision of the State is also generally filed in the U.S. District Court.

However, a lawsuit under the Age Discrimination in Employment Act or the Americans with Disabilities Act or, probably, the Equal Pay Act against a State instrumentality (an agency directly funded and controlled by the State) **can only be filed in a State court**.

A lawsuit under the Age Discrimination in Employment Act or the Americans with Disabilities Act or the Equal Pay Act against a political subdivision of the State, such as municipalities and counties, may be filed in the U.S. District Court.

For a list of U.S. District Courts, please see reverse side.

IF THE FIRST THREE CHARACTERS OF YOUR EEOC CHARGE NUMBER ARE "21B" AND YOUR CHARGE WAS INVESTIGATED BY THE ILLINOIS DEPARTMENT OF HUMAN RIGHTS (IDHR), REQUESTS FOR REVIEWING AND COPYING DOCUMENTS FROM YOUR FILE MUST BE DIRECTED TO IDHR.

ATTORNEY REPRESENTATION:

If you cannot afford or have been unable to obtain a lawyer to represent you, the court having jurisdiction in your case may, at its discretion, assist you in obtaining a lawyer. If you plan to ask the court to help you obtain a lawyer, you must make this request of the court in the form and manner it requires. Your request to the court should be made well before the end of the 90-day period mentioned above. A request for representation does not relieve you of the obligation to file a lawsuit within this 90-day period.

DESTRUCTION OF FILE:

If you file suit, you or your attorney should forward a copy of your court complaint to this office. Your file will then be preserved. Unless you have notified us that you have filed suit, your charge file could be destroyed as early as six months after the date of the Notice of Right to Sue.

IF YOU FILE SUIT, YOU OR YOUR ATTORNEY SHOULD NOTIFY THIS OFFICE IN WRITING WHEN THE LAWSUIT IS RESOLVED.



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Chicago District Office

500 West Madison Street, Suite 2800
Chicago, IL 60661
(312) 353-2713
TTY (312) 353-2421
FAX (312) 353-4041

NOTICE OF DISCLOSURE RIGHTS

Parties to an EEOC charge are entitled to review and obtain copies of documents contained in their investigative file. Requests must be made in writing to Sarita Gaddis and mailed to the address above or faxed to (312) 353-4041.

If you are the Charging Party and a RIGHT TO SUE has been issued, you may be granted access to your file:

- * Before filing a lawsuit, but within 90 days of your receipt of the Right to Sue, or
- * After your lawsuit has been filed. If more than 90 days have elapsed since your receipt of the Right to Sue, include with your request a copy of the first page of your court complaint reflecting the docket number.

If you are the Respondent you may be granted access to the file only after a lawsuit has been filed. Include with your request a copy of the first page of the court complaint reflecting an official court stamped docket number.

Pursuant to federal statutes, certain documents, such as those which reflect the agency's deliberative process, will not be disclosed to either party.

You must sign an Agreement of Nondisclosure before you are granted access to the file. (Statutes enforced by the EEOC prohibit the agency from making investigative information public.)

Your request for access to the file will be acted upon no later than ten (10) days following receipt of your request.

When the file becomes available for review, you will be contacted. You may review the file in our offices and/or request that a copy of the file be sent to you. Files may not be removed from the office.

Your file will be copied by Williams Lea (formerly Uniscribe), 300 West Adams, Suite 900, Chicago, Illinois, 60606-5101, (312) 279-5500. You are responsible for the copying costs and must sign an agreement to pay these costs before the file will be sent to the copy service. Therefore, it is recommended that you first review your file to determine what documents, if any, you want copied. EEOC will not review your file or provide a count of the pages contained in it. If you choose not to review your file, it will be sent in its entirety to the copy service, and you will be responsible for the cost. Payment must be made directly to Williams Lea.

Form 181 (3/98)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: CERTIFIED MAIL NO.: 7000 1670 0012 6745 0668 - CP ATTY
 Ms. Teresita Maria
 3726 W Giddings Court
 Chicago, IL 60625

From: Chicago District Office - 440
 500 West Madison St
 Suite 2800
 Chicago, IL 60661

☐ On behalf of person(s) aggrieved whose identity is
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

21B-2005-00502 AMENDED

Daniel Lim,
 Investigator

(312) 886-9839

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

- ☐ The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
- ☐ Your allegations did not involve a disability as defined by the Americans With Disabilities Act.
- ☐ The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
- ☐ Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.
- ☐ Having been given 30 days in which to respond, you failed to provide information, failed to appear or be available for interviews/conferences, or otherwise failed to cooperate to the extent that it was not possible to resolve your charge.
- ☐ While reasonable efforts were made to locate you, we were not able to do so.
- ☐ You were given 30 days to accept a reasonable settlement offer that affords full relief for the harm you alleged.
- ☒ The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
- ☐ The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
- ☐ Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

On behalf of the Commission

John P. Rowe

John P. Rowe,
 District Director

8/23/04

(Date Mailed)

Enclosures(s)

MINIBAR NORTH AMERICA, INC. and
 HYATT REGENCY CHICAGO



CORPORATION FILE DETAIL REPORT

Entity Name	HYATT CORPORATION	File Number	20577461
Status	GOODSTANDING		
Entity Type	CORPORATION	Type of Corp	FOREIGN BCA
Qualification Date (Foreign)	02/16/1968	State	DELAWARE
Agent Name	UNITED STATES CORPORATION CO	Agent Change Date	00/00/0000
Agent Street Address	33 NORTH LASALLE STREET	President Name & Address	DOUGLAS D GEOGA 71 S WACKER DR 12TH FL CHICAGO 60606
Agent City	CHICAGO	Secretary Name & Address	HAROLD S HANDELSMAN SAME
Agent Zip	60602	Duration Date	PERPETUAL
Annual Report Filing Date	04/27/2006	For Year	2006
Assumed Name	INACTIVE - HYATT REGENCY OAK BROOK ACTIVE - HYATT REGENCY WOODFIELD ACTIVE - HYATT LISLE ACTIVE - HYATT DEERFIELD ACTIVE - HYATT REGENCY MCCORMICK PLACE INACTIVE - HYATT AT UNIVERSITY VILLAGE INACTIVE - HYATT ON PRINTER'S ROW ACTIVE - PARK HYATT CHICAGO ACTIVE - HYATT REGENCY CHICAGO ACTIVE - HYATT REGENCY O'HARE ACTIVE - HYATT ROSEMONT		

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CORPORATION FILE DETAIL REPORT

Entity Name	MINIBAR NORTH AMERICA, INC.	File Number	58207052
Status	GOODSTANDING		
Entity Type	CORPORATION	Type of Corp	FOREIGN BOA
Qualification Date (Foreign)	02/21/1995	State	MARYLAND
Agent Name	O T CORPORATION SYSTEM	Agent Change Date	02/21/1995
Agent Street Address	208 SO LASALLE ST, SUITE 814	President Name & Address	ANTHONY J TORANO /340 WESTMORE RD ROCKVILLE MARYLAND 20850
Agent City	CHICAGO	Secretary Name & Address	PATRICK GALGANO SAME
Agent Zip	60604	Duration Date	PERPETUAL
Annual Report Filing Date	01/25/2006	For Year	2006

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13. The plaintiff demands that the case be tried by a jury.

THEREFORE, the plaintiff asks that the court, if available, grant the plaintiff appropriate injunctive relief, lost wages, liquidated/double damages, front pay, compensatory damages, punitive damages, prejudgment interest, post-judgment interest, and costs, including reasonable attorney fees and expert witness fees.



TERESITA MARIE

3726 W. Giddings Ct., Chicago, IL 60625

Tel. Number: (773) 588.3179

7.2 The Illinois Department of Human Rights, on or about December 4, 2005.

It is the policy of both the Equal Employment Opportunity Commission and the Illinois Department of Human rights to cross-file with the other agency all charges received. The Plaintiff has no reason to believe that this policy was not followed in this case.

8. The United States Equal Employment Opportunity Commission has issued a Notice of Right to Sue, which was received by the plaintiff on August 28, 2006, a copy of which Notice is attached to this complaint.
9. The defendants discriminated against the plaintiff because of the plaintiff's Race (Title VII of the Civil Rights Act of 1964 and 42 U.S.C., 1981).
10. Jurisdiction over the statutory violation alleged is conferred as follows: for Title VII claims by 28 U.S.C., 1331, 28 U.S.C., 1343 (a)(3), and 42 U.S.C., 2000e-5(f)(3); for 42 U.S.C., 1981 and 1983 by 42 U.S.C., 1988; for the A.D.E.A. by 42 U.S.C., 12117; for the Rehabilitation Act, 29 U.S.C., 791.
11. The defendants terminated the plaintiff's employment and failed to stop harassment.
12. Prima facie allegations:
 - 12.1 My national origin is the Philippines.
 - 12.2 I worked at Hyatt Regency Chicago Hotel as Servi-bar Attendant.
 - 12.3 I am the only Filipina working at the above mentioned company.
 - 12.4 Sandeep Sharma, the assistant manager was my immediate supervisor. He assigned me worked and supervised my daily employment activities.
 - 12.5 My performance as Servi-bar Attendant was Very Satisfactory.
 - 12.6 In late July, 2004, Sandeep Sharma, assistant manager, suspended me for being absent for three days, even though I notified them for not being present in my work. My absences were due to my job injury.
 - 12.7 Non-Filipino employees whose attendance record was not better than mine were not suspended.
 - 12.8 Respondent suspended me due to old age and after I opposed unlawful discrimination, and thereby, raising an inference of retaliatory motivation.